

for the

United States of America

-versus-

**Thurman Lowery, Jr.**

Date of Previous Judgment: January 12, 2010

(Use Date of Last Amended Judgment if Applicable)

Case No: 4:04-cr-335-002 (TLW)

USM No: 11032-171

Pro se

Defendant's Attorney

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG § 1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

**IT IS ORDERED** that the motion is **DENIED** (Doc. # 133). This case does not qualify because Defendant's guideline range as calculated under Amendment 750 remains the same as when previously calculated under Amendment 706.\*

**IT IS SO ORDERED.**

Order Date: July 2, 2012

s/ Terry L. Wooten

*Judge's signature*

Effective Date:

(if different from above)

Terry L. Wooten, United States District Judge

\*Amended to reflect reasoning for denial\*